



SENATOR RUNNER'S WEEK IN REVIEW

A WEEKLY REVIEW THAT WILL KEEP YOU INFORMED AND UP-TO-DATE



If you have been forwarded this message and would like to subscribe to future publications or you wish to no longer receive future publications please [contact me here](#).

Los Angeles Unified – Mayoral Takeover?

Accountability Out the Window

In late June 2006, Speaker Nunez gutted-and-amended a bill to enact a convoluted scheme of mayoral control over the Los Angeles Unified School District (LASUD). The bill establishes a new governance structure for LAUSD that is antithetical to accountability, of questionable constitutionality, and disdainful of voters.

LAUSD

LAUSD is the largest school district in California, enrolling about 12 percent of the state's K-12 students. Covering a vast area of Los Angeles County, including 27 incorporated cities as well as unincorporated areas, it has more pupils, employs more personnel, and has a larger budget than the state of Colorado. LAUSD has been plagued by governance issues, low test scores, high dropout rates, and a broken facilities program for many years. While still sub par in many areas, it has, however, made some improvements. Since the adoption of a focused, scientifically-based reading program, for example, its students have demonstrated significantly higher scores on English language arts assessments.

How Not to Govern a School District

Like all school districts in California, LAUSD is governed by a board of education elected by the district's voters. The board sets policy, approves budgets and contracts, decides matters of litigation, and employs a superintendent to carry out the day-to-day management of the district. This bill, for LAUSD, establishes a new governance structure, roughly as follows:

Board of Education

- Elected
- Employs Superintendent (but only if ratified by the Council of Mayors)
- Selects curriculum and instructional materials, together with the Superintendent and subject to approval from teachers through the "authentic and central role" they are given in the bill and subject to the approval of the curriculum committee, of which teachers must make up a majority
- Approves budget "object level" expenditures, but not "line item" expenditures, subject to the recommendation of the Superintendent

News of the Week

[Wild Fires in Southern California](#)

[Southern California Economy Solid](#)

[Gay Curriculum Bill Will Be Debated in Assembly This August](#)

[Eighteen of Runner's Bill Pass Assembly Policy Committees](#)

[Advisory Panel at Odds with Mayor's Takeover Plan of LAUSD](#)

[City of Victorville Will Consider Resolution to Display 'In God We Trust'](#)

[New Santa Paula Hospital Treats First Patient](#)

[LA Developer Bets on Victorville](#)

- Presumably responsible for maintaining and constructing facilities, delivering special education services, and other responsibilities typically held by a board

Superintendent

- Employed by the Board, but only upon ratification by the Council of Mayors
- Authority to request from the State Board of Education waivers from statute
- Authority to appoint and dismiss school principals
- Authority to negotiate and execute contracts
- Authority to make decisions regarding litigation involving LAUSD
- Responsibility to manage all LAUSD personnel, other than Board staff

Council of Mayors

- Consists of the mayors and supervisors over whose jurisdiction LAUSD overlies
- Vote of members is weighted proportionally based on the members representation of LAUSD's population (i.e., LA mayor accounts for some 80 percent of the weighted vote)
- Majority vote carries
- Authority to veto any appointment, contract term, renewal, or removal of the Superintendent
- Authority to review budget and perhaps to revise it

Los Angeles Mayor's Community Partnership for School Excellence

- Directed by the LA mayor
- "Partnership" includes various stakeholders, but composition is not specified
- Provided "all authority" over three "clusters" of schools, each anchored on one decile 1 high school and its feeder middle and elementary schools
- School in the clusters shall not be deemed charter schools

How does this governance structure work? Here is one example of it in action: the Superintendent, selected by the Board – but only if the newly-created Council of Mayors (COM), which is controlled by the Los Angeles mayor, agrees – will have the authority to negotiate and execute contracts. However, the Board will have final approval of revenue and expenditures (but only at the "object" level, not the "line item" level), so it could control contracting through the power of the purse, notwithstanding that the COM could revise "object" level expenditures.

One more example: the Superintendent (who must pass the LA mayor's muster) decides all matters of litigation – such as the \$100 million lawsuit pending between LAUSD and the City of Los Angeles' Department of Water and Power.

As you can clearly see . . . you cannot clearly see who is accountable. Who answers to whom? Where does the buck stop? The mayor is in charge of his three "clusters" of schools, but who maintains them? Who provides special education services? (LAUSD and not the mayor, after all, is under a federal court order regarding special education.) It gets worse: for all LAUSD schools (except, inexplicably, those controlled directly by the mayor), the selection of curriculum and instructional materials is controlled by teachers (meaning the teachers' union), who are to be given "an authentic and central role" in the selection and who shall comprise a majority of the curriculum committee participants. So, if the teachers' union were to adopt and implement a curriculum that is an utter failure, would one complain to the teachers, the union bosses, the board, the superintendent, or the mayor? This bill will result in more finger-pointing than a game of "Clue," and the losers will be the children of LAUSD.

The Constitutional Question

Article IX, Section 6 of the California Constitution provides that, "No school or college or any part of the Public School System shall be, directly or indirectly, transferred from the Public School System

or placed under the jurisdiction of any authority other than one included within the Public School System.” This bill appears to violate that provision. Some will suggest that the Legislature has broad authority to define what constitutes the “Public School System.” However, that logic leads one to accept that the Legislature could place virtually any public entity in control of a school or school district(?), from the Integrated Waste Management Board to Reclamation District 10. Whatever your interpretation may be, it is doubtless that the courts will be asked to make the final decision, throwing another layer of uncertainty over this entire experiment and wasting millions of taxpayer dollars that would otherwise be spent in the classrooms.

“ . . . from the Consent of the Governed.”

Self-determination is fundamental to a democratic society. “[G]overnments are instituted among men,” Jefferson observed in the Declaration of Independence, “deriving their just powers from the consent of the governed.” The “consent of the governed” – the People – comes from the voters. Four LAUSD board seats are up for election in November. If they choose, the voters could change direction without this bill. The mayor could use his influence to help elect a reform-minded majority. Or, we can fundamentally alter the LAUSD government, disempowering a school board freely and directly elected by the People – without their consent. Why should the Legislature and Governor usurp that power – steal that vote – imposing a new government on the People of LAUSD without their consent? Would it not be more in keeping with the ideals upon which this country was founded to ask the governed for their consent?

Why not take this plan to the voters of LAUSD? Why not ask them whether they would prefer to dissolve the district into smaller, more responsive, locally accountable school districts. Let the People decide.

**If you would like to contact Senator Runner, please click
here: [Email](#) - [Website](#)**

OFFICES

Capitol

State Capitol, Room 4066
Sacramento, CA 95814
Phone: 916-651-4017
Fax: 916-445-4662

Antelope Valley

848 W. Lancaster Blvd, Ste 101
Lancaster, CA 93534
Phone: 661-729-6232
Fax: 661-729-1683

Victorville

Victorville City Hall
14343 Civic Drive, First Floor
Victorville, CA 92392
Phone: 760-843-8414
Fax: 760-843-8348

**Santa Clarita – San Fernando
Valley – Ventura County**

Santa Clarita City Hall
23920 Valencia Blvd., Suite 250
Santa Clarita, CA 91355
Phone: 661-286-1471 Santa
Clarita Valley

Phone: 661-286-1472 San
Fernando Valley & Ventura County
Fax: 661-286-2543